

REMARKS

Applicant is in receipt of the Office Action mailed August 19, 2004.

A. Claims

Claim 34 has been amended. Claims 1-55 are pending.

B. 35 U.S.C. §112 Rejections

The Examiner has rejected claims 1, 15, 29, 31, 41, 51, and 55 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner states:

The specification is silent regarding “wherein the non-volatile memory on the frame is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated” and “wherein components on the computer card are arranged on the computer card with higher heat generating components near a front of the computer card.” (Office Action, page 2).

Applicant respectfully disagrees. The specification and figures clearly provide support for the recited elements. For example, FIG. 1 clearly shows one embodiment of a computer 108 which is dedicated to a user interface 113. The elements of the dedicated computer 108, including the dedicated hard disc 208 (a non-volatile memory – See Specification, page 11, line 17), are shown in FIG. 2. As further stated in the specification:

Each computer card may be inserted into a cage slot, and may thereby be coupled to a keyboard, mouse, and monitor, which comprise the human interface for that computer card. Thus, the computer cards may all be installed in the cage at a central location, while the user interface for each computer card may be located remotely from the cage, such as at the respective work areas of the users of the computer cards. (emphasis added) (Specification, page 6, lines 14-19).

In some embodiments, each computer card may be dedicated to a specific user and therefore, the non-volatile memory 208 may store files for that user. Furthermore, as stated in the specification: "The separation of the human interface 113 from the computer 108 may provide a number of benefits to a business or enterprise, including the isolation of means to install software, such as CDROMs, from the user... (emphasis added) (Specification, page 11, lines 5-8)." Software files from the user may be stored on the dedicated computer card. Applicant respectfully asserts that the specification and figures "reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (emphasis added)."

As another example, the Specification states:

In the preferred embodiment the order of the elements from front to back are set to provide the greatest cooling for the hottest elements. The interface logic 302... as well as the I/O 307 and human interface logic 303... is located at the rear of the computer card frame, while the power supply and non-volatile memory (disk drive) are located at the front of the frame. (Specification, page 16, lines 6-12).

One skilled in the relevant art would know that a power supply radiates more heat than an interface logic. Applicant respectfully asserts both of the recited elements are supported in the specification and figures in such a way as to "reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (emphasis added)." Applicant respectfully requests the Examiner withdraw the rejection to claims 1, 15, 29, 31, 41, 51, and 55.

C. 35 U.S.C. §102(b) Rejections

The Examiner has rejected claims 1-8, 10, 12-22, 24, 26-33, 36-38, 40-43, 46-48, and 50-54 under 35 U.S.C. 102(b) as being anticipated by Pocrass (U.S. Pat. No. 5,428,806) (hereinafter "Pocrass"). Applicant respectfully disagrees with the rejections.

Applicant respectfully reminds the Examiner that the standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*,

802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed.Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619,621 (Fed.Cir. 1985).

Pocrass does not appear to disclose, teach, or suggest "wherein the computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 1. Applicant respectfully requests the Examiner withdraw the rejections to claim 1 and claims dependent thereon.

Similarly, Pocrass does not appear to disclose, teach, or suggest "wherein the computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 15. Applicant respectfully requests the Examiner withdraw the rejections to claim 15 and claims dependent thereon.

In addition, Pocrass does not appear to disclose, teach, or suggest "wherein the computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 29. Applicant respectfully requests the Examiner withdraw the rejections to claim 29 and claims dependent thereon.

Pocrass also does not appear to disclose, teach, or suggest "wherein each computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame of each computer card is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 31. Applicant respectfully requests the Examiner withdraw the rejections to claim 31 and claims dependent thereon.

Similarly, Pocrass also does not appear to disclose, teach, or suggest "wherein each computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame of each computer card is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 41. Applicant respectfully requests the Examiner withdraw the rejections to claim 41 and claims dependent thereon.

Furthermore, Pocrass also does not appear to disclose, teach, or suggest "wherein each computer card is dedicated to a specific human interface, and wherein the non-volatile memory on the frame of each computer card is dedicated to a plurality of files used by a user of the specific human interface for which the computer card is dedicated" as recited in amended claim 51. Applicant respectfully requests the Examiner withdraw the rejections to claim 51 and claims dependent thereon.

D. 35 U.S.C. §103 Rejections

The Examiner has rejected claims 9 and 23 under 35 U.S.C. §103(a) as being unpatentable over Pocrass in view of Fleming (U.S. Patent No. 6,073,188) (hereinafter "Fleming"). Applicant respectfully disagrees with the rejections.

The Office Action has not stated a prima facie case of obviousness for combining Pocrass and Fleming. As stated in the MPEP §2142:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (emphasis added) MPEP §2142.

There does not appear to be any teaching or suggestion to combine Pocrass and Fleming either in the references or in the prior art. Furthermore, Fleming teaches away from Pocrass. The switchbox of Fleming is for "server computer systems... located together in one computer room... (Fleming, col. 3, lines 40-41)." In contrast, the systems of Pocrass appear to be used for users "at various locations remote from the chassis (Pocrass, col. 3, lines 3-4)." Applicant respectfully asserts claims 9 and 23 are also at least allowable as dependent on patentably distinct claims 1 and 15 respectively.

The Examiner has rejected claims 11 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Pocrass in view of Beasley et al. (U.S. Patent No. 5,884,096) (hereinafter "Beasley"). Applicant respectfully disagrees with the rejections. Applicant respectfully asserts claims 11 and 25 are at least allowable as dependent on patentably distinct claims 1 and 15 respectively.

The Examiner has rejected claims 34, 39, 44, 49, 35, and 45 under 35 U.S.C. §103(a) as being unpatentable over Pocrass in view of Fleming and further in view of Beasley. Applicant respectfully disagrees with the rejections. Applicant respectfully asserts claims 34, 35, and 39 are at least allowable as dependent on patentably distinct claim 31. Applicant respectfully asserts claims 44, 45, and 49 are at least allowable as dependent on patentably distinct claim 41.

E. Claim 55

Claim 55 is also believed allowable. For example, the cited art does not appear to disclose, teach, or suggest "wherein components on the computer card are arranged on the computer card with higher heat generating components near a front of the computer card" as recited in claim 55.

F. CONCLUSION

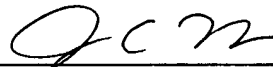
In light of the foregoing amendments and remarks, Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5602-09300/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: 10/19/2004 JCH/REH